

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Landsman, Robert S.
)
Avi J. ASHKENAZI, et al.) Art Unit: 1647
)
Application Serial No. 09/989,735) Confirmation No. 2513
)
Filed: November 19, 2001) Attorney's Docket No. 39780-2730 P1C61
)
For: NUCLEIC ACIDS ENCODING) Customer No. 35489
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DATE MAILED: AUGUST 6, 2004

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

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☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☐ a certification as specified in §1.97(e) is provided below; or

☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and

C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of **\$180.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Docket No. 39780-2730 P1C61)**.

Respectfully submitted,

Date: August 6, 2004

By: Daphne Reddy
Daphne Reddy (Reg. No. 55,507)

HELLER EHRMAN WHITE & McAULIFFE LLP

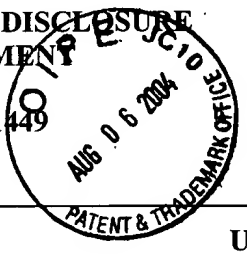
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| INFORMATION DISCLOSURE STATEMENT PTO-1449 | | | ATTY. DOCKET NO.: 39780-2730 P1C61 | | SERIAL NO.: 09/989,735 | |
| | | | APPLICANT : Avi ASHKENAZI, et al. | | | |
| | | | FILING DATE: November 19, 2001 | | GROUP: 1647 | |



| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|------------|------|------|-------|----------|-------------|
| EXAMINER'S INITIALS | PATENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| EXAMINER'S INITIALS | PATENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | YES | NO |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | | | <input type="checkbox"/> | <input type="checkbox"/> |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | |
|--|--|
| | Dayhoff, Accession No.: P_AAB65255, WO 200073454-A1, Pub Date: December 7, 2000, Ashkenazi, A.J., et al. |
| | Dayhoff Accession No.: P_AAY66732, WO 9963088-A2, Pub Date: December 9, 1999, Baker, K., et al. |
| | Dayhoff Accession No.: P_AAB27652, WO 200053757-A2, Pub Date: September 14, 2000, Ashkenazi, A.J., et al. |
| | GenBank, Accession No.: P_AAA99904, WO 200053757-A2, Pub Date: September 14, 2000, Ashkenazi, A.J., et al. |
| | GenBank, Accession No.: P_AAZ65078, WO 9963088-A2, Pub Date: December 9, 1999, Baker, K., et al. |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.